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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing

(Only for Continuation or Divisional Applications under 37 CFR 1.53(d))

CHECK BOX, if applicable

☐ **DUPLICATE**

Address to:

COMMISSIONER FOR PATENTS

BOX CPA

WASHINGTON, DC 20231

Attorney Docket No.

M-8952 US

First Named Inventor

John Clark Lagarias

Examiner Name

J. Hines

Group/Art Unit

1641

Express Mail Label No.

EL 751260848 US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR §1.53(d), (continued prosecution application (CPA)) of prior application number 09/272,809 filed on March 19, 1999, entitled Phytofluors as Fluorescent Labels.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either (1) complete as defined by 37 CFR §1.51(b), OR (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. §154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR §1.53(d), but must be filed under 37 CFR §1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR §1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR §1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application, or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR §1.78(a).

1. ☐ Enter the unentered amendment previously filed on ___ under 37 CFR §1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR §1.53 (d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/8I) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449;
 - b. ☐ ___ Copies of IDS Citations.

RECEIVED

JAN 29 2001

OFFICE OF PETITIONS

01/29/2001 AGOITOM 00000100 192386 09272809

02 FEB 2001
03 FEB 2001

355.00 CH ✓
103.00 CH ✓

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+

CLAIMS (Number Filed)	(1) FOR	(2)		(3) NUMBER EXTRA		(4) RATE		(5) CALCULATIONS
32	TOTAL CLAIMS (37 CFR 1.16(c))	-20	=	12	x	\$18	=	\$ 216.00
2	INDEPENDENT CLAIMS (37 CFR 1.16(b))	-3	=	0	x	\$80	=	\$ 0.00
<input type="checkbox"/>	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.18(d))				+	\$260.00	=	
				BASIC FEE (37 CFR 1.16(a))			=	\$ 710.00
				Total of above Calculations			=	\$ 926.00
				Reduction by 50% for filing by small entity (Note 31 CFR 1.9, 1.27, 1.28).			=	\$463.00
				TOTAL			=	\$463.00

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
c. ☐ Is no longer claimed.

7. **FEES:** The Commissioner is hereby authorized to credit overpayments or charge the following fees to:

Deposit Account No. 19-2386:

- a. ☒ Fees required under 37 CFR §1.16. (U.S. Application Filing Fees)
b. ☒ Fees required under 37 CFR §1.17. (Conditional Extension of Time Fees)
c. ☐ Fees required under 37 CFR §1.18. (Patent Issue Fees)

8. ☐ A check in the amount of \$_____ is enclosed.

9. ☒ Other: 1) **A Copy of Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b); and**
2) **Notice of Change of Address.**

NOTE:

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS



Customer Number or Bar Code Label

27869

PATENT TRADEMARK OFFICE

New correspondence address below

NAME					
ADDRESS					
CITY	STATE	ZIP CODE			
COUNTRY	TELEPHONE	FAX			

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Skjervan Morrill MacPherson LLP

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Tel. (408) 453-9200 Fax. (408) 453-7979

Date:		
Name	Tom Hunter	Reg. No. 38,498
Signature		
Express Mail Label No.	EL 751260848 US	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John Clark Lagarias
Assignee: The Regents of the University of California
Title: Phytofluors as Fluorescent Labels
Serial No.: 09/272,809 Filing Date: March 19, 1999
Examiner: J. Hines Group Art Unit: 1641
Docket No.: M-8952 US

#15

San Jose, California
January 24, 2001

COMMISSIONER FOR PATENTS
Washington, D. C. 20231

NOTICE OF CHANGE OF ADDRESS

Sir:

Please direct all correspondence in the above-identified application and with respect to any patent that issues on this application to the undersigned at this address:

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Respectfully submitted,

Tom Hunter
Attorney for Applicants
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